

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**Title 8 U.S.C., Section 1326 - Illegal Reentry by  
an Alien After Deportation (Class C Felony)☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**PENALTY:**

Maximum Prison Term of 20 Years;

Maximum Fine \$250,000;

Maximum Term of Supervised Release of 3 Years;

Mandatory Special Assessment of \$100.

**CR 08****PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Department of Homeland Security/Immigration Customs Enforcement

☐ person is awaiting trial in another Federal or State  
Court, give name of court☐ this person/proceeding is transferred from another  
district per (circle one) FRCrP 20, 21 or 40. Show  
District☐ this is a reprosecution of  
charges previously dismissed  
which were dismissed on  
motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a  
pending case involving this same  
defendant☒ prior proceedings or appearance(s)  
before U.S. Magistrate regarding  
this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

08-70026-EDL

Name and Office of Person  
Furnishing Information on  
THIS FORM**JOSEPH P. RUSSONIELLO**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

TAREK J. HELOU

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

ENRIQUE CABRERA-LUVIANO

DISTRICT COURT NUMBER

**0031****MHP****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding.  
If not detained give date any prior summons  
was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
been filed?☐ Yes  
☐ NoIf "Yes"  
give date  
filed**DATE OF  
ARREST**

Month/Day/Year

1/15/2008

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED  
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons  
or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

FILED  
08 JAN 24 AM 11:05  
RICHARD W. WILKING  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**MHP**

CR 08  
UNITED STATES OF AMERICA,

No.

**0031**

Plaintiff,

VIOLATION: 8 U.S.C. § 1326 – Illegal  
Reentry Following Deportation

v.

ENRIQUE CABRERA-LUVIANO  
a/k/a Enrique Cabrera,

SAN FRANCISCO VENUE

Defendant.

INFORMATION

The United States Attorney charges:

On or about November 27, 2002, and December 11, 2003, the defendant,

ENRIQUE CABRERA-LUVIANO,  
a/k/a Enrique Cabrera,

an alien, was excluded, deported and removed from the United States, and thereafter, on or about  
January 15, 2008, was found in the Northern District of California, the Attorney General of the  
United States and the Secretary for Homeland Security not having expressly consented to a re-

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INFORMATION

1 application by the defendant for admission into the United States, in violation of Title 8, United  
2 States Code, Section 1326.

3  
4 DATED: January 23, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

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6  
7 Kyle F. Waldinger, Deputy Chief, for  
8 GREGG W. LOWDER  
Chief, Major Crimes Section

9  
10 (Approved as to form: Trish J. Helms

AUSA HELOU